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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

INVITAE CORPORATION, *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 24-11362 (MBK)

(Jointly Administered)

<sup>1</sup> The last four digits of Debtor Invitae Corporation's tax identification number are 1898. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://veritaglobal.net/invitae>. The Debtors' service address in these chapter 11 cases is 1400 16<sup>th</sup> Street, San Francisco, California 94103.

**NOTICE OF AMENDED<sup>2</sup> AGENDA OF MATTERS  
SCHEDULED TO BE HEARD ON JULY 9, 2024, AT 11:00 A.M. (ET)**

To: All Parties Receiving Electronic Notification of Filing  
via the Court's CM/ECF System

**PLEASE TAKE NOTICE** that the matters listed below are currently scheduled to be heard on **July 9, 2024, at 11:00 a.m. (prevailing Eastern Time)** before the Honorable Chief Judge Michael B. Kaplan, Clarkson S. Fisher United States Courthouse, 402 East State Street, Second Floor, Courtroom 8, Trenton, NJ 08608.

**PLEASE TAKE FURTHER NOTICE** that parties intending to present argument or examine witnesses during the hearing must appear **in person**. Instructions to observe the hearing virtually and **listen only** will be posted on the website of the Debtors' claims and noticing agent (<https://veritaglobal.net/invitae>) prior to the hearing.

**PLEASE TAKE FURTHER NOTICE** that Parties wishing to observe virtually via Zoom must submit a request for panelist status to [Chambers\\_of\\_MBK@njb.uscourts.gov](mailto:Chambers_of_MBK@njb.uscourts.gov).

**CONTESTED MATTERS GOING FORWARD**

**1. The Official Committee of Unsecured Creditors' Motion *in Limine* to Exclude Untimely Produced Documents from the July 9, 2024 Hearing [Docket No. 741]**

**Related Documents**

- A. Application for Order Shortening Time [Docket No. 743]**
- B. Order Shortening Time Period for Notice and Setting Hearing [Docket No. 749]**

**Status:** This matter is going forward.

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<sup>2</sup> Newly filed documents are noted in **bold**.

2. The Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estate and (II) Exclusive Settlement Authority [Docket No. 536]

Responses/Objections

- A. Debtors' Objection to the Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority [Docket No. 713]
- B. Deerfield's (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount [Docket No. 728]
- C. Joinder and Supplemental Statement of U.S. Bank Trust Company, National Association, as Trustee and Collateral Agent, to Deerfield Partners L.P.'s (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount [Docket No. 720]
- D. **The Official Committee of Unsecured Creditors' Reply Brief in Support of its Motion for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority [Docket No. 752]**

Related Documents

- A. Declaration of Jeffrey Goldfine in Support of the Debtors' Objection to the Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of Debtors' Estates and (II) Exclusive Settlement Authority [Docket No. 714]
- B. Debtors' Motion to File Under Seal Debtors' Objection to the Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority [Docket No. 715]
- C. Application for Order Shortening Time for Hearing on Debtors' Motion to File Under Seal Debtors' Objection to the Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority [Docket No. 716]
- D. Order Shortening Time Period for Notice [Docket No. 717]
- E. Notice of Motion of Deerfield Partners, L.P. to Submit Under Seal Its (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount [Docket No. 719]

- F. Application for Order Shortening Time [Docket No. 721]
- G. Order Shortening Time Period for Notice, Setting Hearing and Limiting Notice [Docket No. 722]
- H. **Declaration of Jill Frizzley [Docket No. 735]**
- I. **Declaration of Randy Scott [Docket No. 736]**
- J. **Debtors' Motion to File Under Seal (A) Declaration of Randy Scott and (B) Declaration of Jill Frizzley [sic] [Docket No. 737]**
- K. **Application for Order Shortening Time for Hearing on Debtors' Motion to File Under Seal (A) Declaration of Randy Scott and (B) Declaration of Jill Frizzley [sic] [Docket No. 738]**
- L. **Declaration of David Dunn in Support of the Official Committee of Unsecured Creditors' Motion for (I) Leave, Standing and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority [Docket No. 739]**
- M. **Declaration of Terence Fox-Karnal in Support of Deerfield Partners L.P.'s (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount [Docket No. 740]**
- N. **Debtors' Witness and Exhibit List for July 9, 2024 Standing Motion Hearing [Docket No. 742]**
- O. **Deerfield's Witness and Exhibit List for the July 9, 2024 Hearing [Docket No. 746]**
- P. **The Official Committee of Unsecured Creditors' Witness and Exhibit List for the July 9, 2024 Hearing [Docket No. 747]**
- Q. **Order Shortening Time Period for Notice [Docket No. 748]**
- R. **Notice of Motion to File Under Seal the Official Committee of Unsecured Creditors' Reply Brief in Support of its Motion for (I) Leave, Standing, and Authority to Commence and Prosecute Certain Claims and Causes of Action on Behalf of the Debtors' Estates and (II) Exclusive Settlement Authority [Docket No. 753]**
- S. **Application to Shorten Time [Docket No. 754]**
- T. **Order Shortening Time Period for Notice and Setting Hearing [Docket No. 755]**

**Status:** This matter is going forward.

3. Notice of the Official Committee of Unsecured Creditors' Objection to the 2028 Senior Secured Note Claims [Claim Nos. 360, 378, 379, 380, 381, 382] [Docket No. 635]

Responses/Objections

- A. Deerfield's (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount [Docket No. 718]
- B. Joinder and Supplemental Statement of U.S. Bank Trust Company, National Association, as Trustee and Collateral Agent, to Deerfield Partners L.P.'s (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount [Docket No. 720]
- C. **The Official Committee of Unsecured Creditors' Reply Brief in Further Support of its Objection to the 2028 Senior Secured Note Claims [Claim Nos. 360, 378, 379, 380, 381, 382] [Docket No. 750]**
- D. **Debtors' Joinder to Deerfield Partners, L.P.'s Response to the Committee's Claim Objection [Docket No. 751]**

Related Documents

- A. Letter to the Court by James N. Lawlor [Docket No. 652]
- B. Letter to the Court by John S. Mairo [Docket No 661]
- C. **Declaration of Terence Fox-Karnal in Support of Deerfield Partners L.P.'s (I) Objection to the Committee's Standing Motion and (II) Response to the Committee's Objections to the Make Whole Amount [Docket No. 740]**

**Status:** This matter is going forward on the limited basis of the legal issues pertaining to the appropriateness of the Make Whole Amount as set forth in Sections B and C of the Claim Objection.

*[Remainder of page intentionally left blank]*

Dated: July 8, 2024

*/s/ Michael D. Sirota*

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